

Town Board Minutes

Meeting No. 9

Regular Meeting

April 1, 1996

MEETINGS TO DATE 9
NO. OF REGULARS 7
NO. OF SPECIALS 2

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LANCASTER, NEW YORK
APRIL 1, 1996

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 1st day of April 1996 at 8:00 P.M. and there were

PRESENT: DONALD E. KWAK, COUNCIL MEMBER
JOHN T. MILLER, COUNCIL MEMBER
MARK A. MONTOUR, COUNCIL MEMBER
DONNA G. STEMPIAK, COUNCIL MEMBER
ROBERT H. GIZA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: ELEANOR D. KUCHARSKI, DEPUTY, TOWN CLERK
ROBERT H. LABENSKI, TOWN ENGINEER
RICHARD SHERWOOD, TOWN ATTORNEY
ROBERT L. LANEY, BUILDING INSPECTOR
THOMAS E. FOWLER, CHIEF OF POLICE
JOHANNA M. COLEMAN, RECEIVER OF TAXES
CHRISTINE FUSCO, ASSESSOR

PERSONS ADDRESSING TOWN BOARD:

Bastian, Norman, 5747 Genesee Street, spoke to the Town Board on the following matter:

1. Questioned Building Inspector re: cellars in Flood Plain areas.

Casper, Bernadette, 155 Pleasant View Drive, spoke to the Town Board on the following matters:

1. Complained of debris on property from developer.
2. Complained of trespassing on property from heavy equipment. Requested Town Board and Planning Board impose stricter regulations on developers.
3. Concerns of traffic problems on William Street.

Gull, Henry, 710 Pavement Road, spoke to the Town Board on the following matter:

1. Questioned appropriateness of Town Attorney hiring Barbara Kufel in as much as her spouse is employed by Tops parent company Ah old.

Heckl, Robert, 706 Pavement Road, spoke to the Town Board on the following matters:

1. Questioned if there were any suspended resolutions before Town Board.
2. Expressed properness of hiring Barbara Kufel in light of her husband's employment with Ahold.

Joseph, Dorothy, 5962 Genesee Street, spoke to the Town Board on the following matters:

1. Queried Town Board on current CHA reports on Tops.
2. Asked if Long House on Genesee Street on Genesee Street would be sold by Tops Markets.

Frank, Maryann, 5176 Genesee Street, spoke to the Town Board on the following matter:

1. Asked if part time position in Town Attorney's Office was posted.

Kubicki, Gloria, 15 Maple Drive, spoke to the Town Board on the following matter:

1. Questioned Town Attorney on choice of Barbara Kufel as part time clerk

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 8:32 P.M., the Town Board held a Public Hearing to hear all interested persons upon the matter of the increase and improvement of facilities of the Lancaster Consolidated Water District, along Aurora Street , at an estimated cost of \$1,093,235.00.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PROPONENTS

None

OPPONENTS

None

COMMENTS & QUESTIONS

Donald Symer

Mary Ann Frank

Gloria Kubicki

ADDRESS

610 Columbia Avenue

5176 Genesee Street

15 Maple Drive

ON MOTION BY COUNCIL MEMBER MILLER, AND SECONDED BY COUNCIL MEMBER MONTOUR AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:50 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

PUBLIC HEARING SCHEDULED FOR 8:45 P.M.:

At 8:51 P.M., the Town Board held a Public Hearing to hear all interested persons upon the matter of the increase and improvement of facilities of the Lancaster Consolidated Water District, along Transit Road and Genesee Street, at an estimated cost of \$839,839.00.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PROPOSERS

None

OPPOSERS

None

COMMENTS & QUESTIONS

Louis Salvatore

ADDRESS

15 Parkdale Drive

ON MOTION BY COUNCIL MEMBER MILLER, AND SECONDED BY
COUNCIL MEMBER STEMPNIAK AND CARRIED, by unanimous voice vote, the Public
Hearing was closed at 8:55 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter spread at
length in these minutes, taking favorable action upon this matter.

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER, STEMPNIAK TO WIT:

RESOLVED, that the minutes from the Regular Meeting of the Town Board held on
March 18, 1996 be and hereby are approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll
call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTGOMERY	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 1, 1996

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER MILLER, TO WIT:

WHEREAS, David Smith, 6026 Broadway, Lancaster, New York 14086 has applied for
a Dumping Permit for property situate at 6026 Broadway, Lancaster, New York 14086 within the Town
of Lancaster, pursuant to Chapter 22-8 of the Code of the Town of Lancaster, and

WHEREAS, the application was referred to the Building Inspector and
Town Engineer for review and recommendation, and

WHEREAS, the Building Inspector and Town Engineer have completed their review
and made a formal, favorable recommendation to the Town Board,

NOW, THEREFORE, BE IT

RESOLVED, that David Smith, 6026 Broadway, Lancaster, New York be and is
hereby authorized to dump and dispose of materials outside permitted sanitary landfills within the
Town of Lancaster, namely on premises owned by the applicant at 6026 Broadway, Lancaster, New
York 14086, said dumping to be in strict conformance with the application of the petitioner as filed
in the Office of the Town Clerk, and

BE IT FURTHER

RESOLVED, that pursuant to Chapter 22-8(D)(6) of the Code of the Town of
Lancaster the permit authorization granted herein **expires one year from date of this resolution.**

The question of the foregoing resolution was duly put to a vote on roll call which
resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 1, 1996

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER, STEMPNIAK TO WIT:

WHEREAS, the General Crew Chief of the Department of Buildings, Grounds,
Parks, Forestry, Senior Citizens and Recreation has recommended the appointment of Mary Bartz to the
position of Outreach Worker, part time, at the Senior Center,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

Section 1. That **MARY BARTZ**, 30 Brandel Avenue, Lancaster, New York 14086 ,
be and is hereby appointed Outreach Worker, part time, at the Senior Center.

Section 2. That Mary Bartz be compensated at an hourly rate of \$8.00 per hour.

Section 3. That is appointment be effective Monday, April 1, 1996.

Section 4. That this appointment, being a part time position, provides no health
insurance, sick days vacation or other fringe benefits not specifically mandated by statute for part time
employees.

Section 5. That the Supervisor of the Town of Lancaster take the necessary action with
the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the foregoing resolution was duly put to a vote on roll call which
resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 1, 1996

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER MONTOUR , TO WIT:

RESOLUTION OF THE TOWN OF LANCASTER, NEW YORK,
ADOPTED APRIL 1, 1996, AMENDING THE BOND RESOLUTION
ADOPTED SEPTEMBER 6, 1994 AND HERETOFORE AMENDED ON
JULY 10, 1995.

THE TOWN BOARD OF THE TOWN OF LANCASTER, IN THE COUNTY
OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not
less than two-thirds of all members of said Town Board) AS
FOLLOWS:

Section (A) The bond resolution of said Town duly
adopted by the Town Board on July 10, 1995, entitled:

"Bond Resolution of the Town of Lancaster, New
York, adopted September 6, 1994 and amended July
10, 1995, authorizing the construction of a youth
bureau building at 100 Oxford Avenue in the Town,
stating the estimated maximum cost thereof is
\$1,020,000, appropriating said amount therefor,
including the expenditure of \$125,000 expected to
be received as a grant from the State of New York,
and the expenditure of \$160,000 Town funds
currently available therefor, and authorizing the
issuance of \$735,000 serial bonds of said Town to
finance said the balance of appropriation,"

is hereby amended to read as follows:

BOND RESOLUTION OF THE TOWN OF LANCASTER, NEW YORK,
ADOPTED SEPTEMBER 6, 1994, AMENDED JULY 10, 1995,
AND FURTHER AMENDED APRIL 1, 1996, AUTHORIZING THE
CONSTRUCTION OF A YOUTH BUREAU BUILDING AT 100
OXFORD AVENUE IN THE TOWN, STATING THE ESTIMATED
MAXIMUM COST THEREOF IS \$1,070,000, APPROPRIATING
SAID AMOUNT THEREFOR, INCLUDING THE EXPENDITURE OF
\$125,000 EXPECTED TO BE RECEIVED AS A GRANT FROM
THE STATE OF NEW YORK, AND AUTHORIZING THE ISSUANCE
OF \$945,000 SERIAL BONDS OF SAID TOWN TO FINANCE
THE BALANCE OF SAID APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF LANCASTER, IN THE COUNTY
OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not
less than two-thirds of all the members of said Town Board) AS
FOLLOWS:

Section 1. The Town of Lancaster, in the County of
Erie, New York (herein called "Town"), is hereby authorized to
construct a youth bureau building on Town-owned property located
at 100 Oxford Avenue, in the Town, and to purchase the original
furnishings, equipment, machinery and apparatus required in
connection with the purpose for which said building is to be
used. The estimated maximum cost of said specific object or
purpose, including preliminary costs and costs incidental thereto
and the financing thereof, is \$1,070,000 and said amount is
hereby appropriated therefor. The plan of financing includes the

expenditure of \$125,000 expected to be received as a grant from the State of New York, the issuance of \$945,000 serial bonds of the Town to finance the balance of said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$945,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance a part of said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The building to be constructed will be of Class "C" construction as defined by Section 11.00 a. 11.(c) of the Law, and the period of probable usefulness of said specific object or purpose for which the \$945,000 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 11.(c) of the Law, is fifteen (15) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds having substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms,

form and contents and as to the sale and issuance of the bonds herein authorized, and any other bonds heretofore or hereafter authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution, as amended, is subject to permissive referendum.

Section (B) The amendment of the bond resolution set forth in Section A of this resolution, shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond resolution, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond resolution, as so amended.

Section (C) The Town Clerk of said Town of Lancaster, shall within ten (10) days after the adoption of this resolution cause to be published, in full, in the "LANCASTER BEE," a newspaper having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF LANCASTER, NEW YORK

PLEASE TAKE NOTICE that on April 1, 1996, the Town Board of the Town of Lancaster, in the County of Erie, New York, adopted a resolution further amending the bond resolution adopted by said Town Board on September 6, 1994 and amended on July 10, 1995 which bond resolution, as amended, is entitled:

"Bond Resolution of the Town of Lancaster, New York, adopted September 6, 1994, amended July 10, 1995, and further amended April 1, 1996, authorizing the construction of a youth bureau building at 100 Oxford Avenue in the Town, stating the estimated maximum cost thereof is \$1,070,000, appropriating said amount therefor, including the expenditure of \$125,000 expected to be received as a grant from the State of New York, and authorizing the issuance of \$945,000 serial bonds of said Town to finance said the balance of appropriation,"

an abstract of which bond resolution, as amended, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Town to construct a youth bureau building on Town-owned property located at 100 Oxford Avenue, in the Town; STATING the estimated total cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,070,000; APPROPRIATING said amount therefor; STATING the plan of financing includes the expenditure of \$125,000 expected to be received as a grant from the State of New York, the issuance of \$945,000 serial bonds of the Town to finance the balance of said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$945,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance a part of said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness to be fifteen (15) years; the proceeds of said bonds may be applied to reimburse the Town for expenditures made after the effective date of said bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said \$945,000 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution, as amended, is subject to a permissive referendum.

DATED: April 1, 1996

Robert P. Thill
Town Clerk

Section (D) Said bond resolution, as herein amended, is subject to a permissive referendum as therein provided. In the event that a valid petition protesting against said bond resolution, as amended, and requesting that it be submitted to the electors of said Town for their approval or disapproval is filed and the Proposition submitted therefor is defeated, the validity of the bond resolution adopted September 6, 1994 and amended July 10, 1995 shall not be in any way affected and shall remain in full force and effect.

Section (E) After said bond resolution, as herein amended, shall take effect, the Town Clerk is hereby directed to cause said bond resolution as herein amended, to be published, in full, in the newspaper hereinabove referred to in Section C hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as prescribed by Section 81.00 of the Local Finance Law of the State of New York.

Section (F) This resolution shall take effect immediately.

* * *

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 1, 1996

PRESENT :

Hon. Robert H. Giza , Supervisor
 , Council Member
 , Council Member
 , Council Member
 , Council Member

Increase and Improvement of Facilities of the Lancaster Consolidated Water District, in the Town of Lancaster, in the County of Erie, New York, pursuant to Section 202-b of the Town Law.

WHEREAS, following the preparation of a map, plan and report by Hayden/Wegman, Consulting Engineers, engineers duly licensed by the State of New York (herein called "Engineers"), for the increase and improvement of facilities of the Lancaster Consolidated Water District (herein called "District") in the Town of Lancaster (herein called "Town"), in the County of Erie, New York, including (i) installation of approximately 2,900 linear feet of eight-inch PVC watermain along Aurora Street from Woodgate Drive to Running Brook Drive, including valves, hydrants, services and all appurtenances; (ii) installation of

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approximately 2,500 linear feet of eight-inch PVC watermain along Glendale Drive and Parkdale Drive off of Broadway, including valves, hydrants, services and all appurtenances; and (iii) installation of approximately 3,000 linear feet of eight-inch PVC watermain along Steinfeldt Road from Broadway to Erie Street, including valves, hydrants, services and all appurtenances, and after a public hearing duly called and held on August 21, 1995, the Town Board of the Town determined by the Resolution and Order After Public Hearing duly adopted on August 21, 1995, that it is in the public interest to increase and improve the facilities of the District, and ordered that such facilities be increased and improved at the estimated total cost of \$830,000; and

WHEREAS, due to increased costs of materials and labor and changes in the scope of the project, the estimated total cost of said increase and improvement of facilities is now estimated to be \$1,093,235, and it is necessary and desirable and in the best interest of said Town to increase the total appropriation therefor by \$263,235, from \$830,000 to \$1,093,235; and

WHEREAS, the Engineers have completed modifications to the map, plan and report to provide for said increase in costs of materials and labor and said changes in the scope of project, which consists of the installation of approximately 1,900 linear feet of eight-inch PVC watermain along Aurora Street from William Street north to the Village of Lancaster boundary line, including valves, hydrants, services and all appurtenances, at a cost not to exceed \$1,093,235, and filed the same with the Town Board, the

Town Board thereafter adopted an Order describing in general terms the proposed increase and improvement of the facilities, specifying the modifications to the plans, the \$263,235 increase in the estimated total cost thereof and the new \$1,093,235 estimated cost thereof, and stating that the Town Board would meet to hear all persons interested in said modifications to the plans and \$263,235 increase in the cost of the increase and improvement of facilities on April 1, 1996 at 8:30 o'clock P.M. (Prevailing Time) at the Town Hall, 21 Central Avenue, Lancaster, New York, in the Town; and

WHEREAS, copies of such Order, certified by the Town Clerk, were duly published and posted pursuant to the provisions of Article 12 of the Town Law; and

WHEREAS, such further public hearing was duly held by the Town Board on this 1st day of April, 1996 at 8:30 o'clock P.M. (Prevailing Time) at the Town Hall, 21 Central Avenue, Lancaster, New York, in the Town, and considerable discussion on the matter having been had and all persons desiring to be heard having been heard, including those in favor of and those in opposition to said modifications to the plans and \$263,235 increase in the cost of said increase and improvement of the facilities;

NOW, THEREFORE, on the basis of the information given at such hearing, it is hereby

DETERMINED, that it is in the public interest to increase and improve the facilities of the District as

hereinabove described and referred to at the new estimated total cost of \$1,093,235, and to increase the appropriation therefor by \$263,235, from \$830,000 to \$1,093,235; and it is hereby

ORDERED, that the facilities of the District shall be so increased and improved at the said \$1,093,235 increased cost therefor; and it is hereby

FURTHER ORDERED, that the expense of said increase and improvement of facilities, including said \$263,235 additional cost thereof, shall be financed by the issuance of \$1,093,235 serial bonds of the Town, and the costs of said increase and improvement of facilities, including payment of principal of and interest on said bonds, shall be paid by the assessment, levy and collection of assessments upon the several lots and parcels of land within the District which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable; and it is hereby

FURTHER ORDERED, that the Town Clerk record a certified copy of this Resolution and Order After Further Public Hearing in the office of the Clerk of Erie County within ten (10) days after adoption thereof.

DATED: APRIL 1, 1996

TOWN BOARD OF THE TOWN OF LANCASTER

s/s Robert H. Giza
Supervisor

s/s Donald E. Kwak
Council Member

s/s John T. Miller
Council Member

s/s Mark A. Montour
Council Member

s/s Donna G. Stempniak
Council Member

(SEAL)

Members of the Town Board of the Town of
Lancaster, New York

The question of the adoption of the foregoing resolution was
duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 1, 1996

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MILLER, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER MONTGOMERY, TO WIT:

RESOLUTION OF THE TOWN OF LANCASTER, NEW YORK,
ADOPTED APRIL 1, 1996, AMENDING THE BOND
RESOLUTION ADOPTED AUGUST 21, 1995.

Recitals

WHEREAS, the Town Board of the Town of Lancaster, in the County of Erie, New York (the "Town"), has heretofore duly authorized the increase and improvement of facilities of the Lancaster Consolidated Water District (the "District") within the Town, at the estimated total cost of \$830,000, which amount was appropriated therefor pursuant to the bond resolution adopted by said Town Board on August 21, 1995 and hereinafter referred to, and it now has been determined that due to increased costs of materials and labor and changes in the scope of the project, the estimated total cost of said increase and improvement of facilities of the District is now estimated to be \$1,093,235, and it is necessary and desirable and in the best interests of said Town to increase the total appropriation therefor by \$263,235, from \$830,000 to \$1,093,235;

Now, therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF LANCASTER, IN THE COUNTY OF ERIE, NEW YORK (by the favorable vote of not less than two-thirds of all members of said Town Board) AS FOLLOWS:

Section (A) The bond resolution of said Town duly adopted by the Town Board on August 21, 1995, entitled:

"Bond Resolution of the Town of Lancaster, New York, adopted August 21, 1995, appropriating \$830,000 for the increase and improvement of facilities of the Lancaster Consolidated Water District, in said Town, and authorizing the issuance of \$830,000 serial bonds of said Town to finance said appropriation,"

is hereby amended to read as follows:

BOND RESOLUTION OF THE TOWN OF LANCASTER, NEW YORK, ADOPTED AUGUST 21, 1995 AND AMENDED APRIL 1, 1996, APPROPRIATING \$1,093,235 FOR THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE LANCASTER CONSOLIDATED WATER DISTRICT, IN SAID TOWN, AND AUTHORIZING THE ISSUANCE OF \$1,093,235 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION

Recitals

WHEREAS, following preparation of a map, plan and report for the increase and improvement of facilities of the Lancaster Consolidated Water District (herein called "District"), in the Town of Lancaster (herein called "Town"), in the County of Erie, New York, including (i) installation of approximately 2,900 linear feet of eight-inch PVC watermain along Aurora Street from Woodgate Drive to Running Brook Drive, including valves, hydrants, services and all appurtenances; (ii) installation of approximately 2,500 linear feet of eight-inch PVC watermain along Glendale Drive and Parkdale Drive off of Broadway, including valves, hydrants, services and all appurtenances; and (iii) installation of approximately 3,000 linear feet of eight-inch PVC watermain along Steinfeldt Road from Broadway to Erie Street, including valves, hydrants, services and all appurtenances, and after a public hearing duly called and held, the Town Board of the Town determined, that it is in the public interest to

increase and improve the facilities of the District, and ordered that such facilities be increased and improved at the estimated total cost of \$830,000; and

WHEREAS, due to increased costs of materials and labor and changes in the scope of the project, the estimated total cost of said increase and improvement of facilities is now estimated to be \$1,093,235, and it is necessary and desirable and in the best interest of said Town to increase the total appropriation therefor by \$263,235, from \$830,000 to \$1,093,235; and

WHEREAS, after a further public hearing duly called and held, the Town Board of the Town determined that it is in the public interest to increase and improve the facilities of the District at said increased cost, and ordered that such facilities be increased and improved at the said \$1,093,235 increased cost; Now, therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF LANCASTER, IN THE COUNTY OF ERIE, NEW YORK (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town hereby appropriates the amount of \$1,093,235 for the increase and improvement of facilities of the District, including (i) installation of approximately 2,900 linear feet of eight-inch PVC watermain along Aurora Street from Woodgate Drive to Running Brook Drive, including valves, hydrants, services and all appurtenances; (ii) installation of approximately 2,500 linear feet of eight-inch PVC watermain along Glendale Drive and Parkdale Drive off of Broadway, including

valves, hydrants, services and all appurtenances; (iii) installation of approximately 3,000 linear feet of eight-inch PVC watermain along Steinfeldt Road from Broadway to Erie Street, including valves, hydrants, services and all appurtenances; and (iv) installation of approximately 1,900 linear feet of eight-inch PVC watermain along Aurora Street from William Street north to the Village of Lancaster boundary line, including valves, hydrants, services and all appurtenances, all in accordance with the map, plan and report prepared by Hayden/Wegman, Consulting Engineers, engineers duly licensed by the State of New York, on file in the office of the Town Clerk and hereby approved. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,093,235 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$1,093,235 serial bonds of the Town to finance said appropriation and the assessment, levy and collection of assessments upon the several lots and parcels of land within the District which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable.

Section 2. Serial bonds of the Town are hereby authorized to be issued in the principal amount of \$1,093,235, pursuant to the provisions of the Local Finance Law, constituting

Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of the specific object or purpose for which said \$1,093,235 serial bonds are authorized to be issued, within the limitations of Section 11.00 a. 1. of the Law, is forty (40) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds, shall contain the recital of validity prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation said bonds, shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town without limitation as to rate or amount. The faith and credit of the

Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes issued in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds having substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes, and Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing their terms, form and contents and as to the sale and issuance of the bonds herein authorized, and any other bonds heretofore or hereafter authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution, as amended, shall take effect immediately.

* * *

Section (B) The amendment of the resolution set forth in Section A of this resolution shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said resolution, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said resolution as herein amended.

* * *

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 1, 1996

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MILLER, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER STEMPNIAK , TO WIT:

RESOLVED BY THE TOWN BOARD OF THE TOWN OF LANCASTER, IN
THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. The Town Clerk is hereby authorized and
directed to publish the foregoing resolution, as amended, in
full, in the "LANCASTER BEE," a newspaper published in Buffalo,
New York, having a general circulation in said Town and hereby
designated as the official newspaper of the Town for such
publication, together with a Notice attached in substantially the
form prescribed by Section 81.00 of the Local Finance Law of the
State of New York.

Section 2. This resolution shall take effect
immediately.

* * *

The question of the adoption of the foregoing resolution was
duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 1, 1996

PRESENT:

In the Matter
of the

RESOLUTION AND
ORDER AFTER PUBLIC HEARING

131973.1 011562 RES

watermain along Transit Road from the Pleasantview water tank to Genesee Street, including valves, hydrants, services and all appurtenances and (ii) installation of approximately 6,200 linear feet of eight-inch PVC watermain along Genesee Street from Transit Road to Harris Hill Road, including valves, hydrants, services and all appurtenances; and at the direction of the Town, the Engineers have completed and filed with the Town Board such preliminary map, plan and report, and have estimated the aggregate cost thereof to be \$839,839; and

WHEREAS, the Town Board adopted an Order describing in general terms the proposed increase and improvement of facilities, specifying the estimated cost thereof, and stating the Town Board would meet to hear all persons interested in said increase and improvement of facilities on April 1, 1996 at 8:45 o'clock P.M. (Prevailing Time) at the Town Hall, 21 Central Avenue, Lancaster, New York; and

WHEREAS, copies of such Order, certified by the Town Clerk, were duly published and posted pursuant to the provisions of Article 12 of the Town Law; and

WHEREAS, such public hearing was duly held by the Town Board on this 1st day of April, 1996 at 8:45 o'clock P.M. (Prevailing Time) at the Town Hall, 21 Central Avenue, Lancaster, New York, and considerable discussion on the matter having been had and all persons desiring to be heard having been heard, including those in favor of and those in opposition to said increase and improvement of the facilities; and

WHEREAS, the Town Board has given due consideration to the impact that the increase and improvement of facilities of the District may have on the environment and on the basis of such consideration, the Town Board has found that no substantial adverse environmental impact will be caused thereby; and

WHEREAS, the Town Board and the Town have complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters including compliance with the New York State Environmental Quality Review Act, comprising Article 8 of the Environmental Conservation Law and, in connection therewith, a duly executed Short Environmental Assessment Form has been filed in the office of the Town Clerk.

NOW, THEREFORE, on the basis of the information given at such hearing, it is hereby

DETERMINED, that it is in the public interest to increase and improve the facilities of the District as hereinabove described and referred to at the estimated maximum cost of \$839,839; and it is hereby

ORDERED, that the facilities of the District shall be so increased and improved and the Engineers heretofore retained by the Town Board shall prepare plans and specifications and make a careful estimate of the expense for said increase and improvement of facilities and, with the assistance of the Town Attorney, prepare a proposed contract for the execution of the work, which plans shall be presented to the Town Board as soon as possible; and it is hereby

FURTHER ORDERED, that the expense of said increase and improvement of facilities shall be financed by the issuance of not to exceed \$839,839 serial bonds of the Town, and the costs of said increase and improvement of facilities, including payment of principal of and interest on said bonds, shall be paid by the assessment, levy and collection of assessments upon the several lots and parcels of land within the District which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable; and it is hereby

FURTHER ORDERED, that the Town Clerk record a certified copy of this Resolution and Order After Public Hearing in the office of the Clerk of Erie County within ten (10) days after adoption thereof.

DATED: APRIL 1, 1996

TOWN BOARD OF THE TOWN OF LANCASTER

s/s Robert H. Giza
Supervisor

s/s Donald E. Kwak
Council Member

s/s John T. Miller
Council Member

s/s Mark A. Montour
Council Member

s/s Donna G. Stempniak
Council Member

(SEAL)

Members of the Town Board of the Town of
Lancaster, New York

The question of the adoption of the foregoing resolution was
duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 1, 1996

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MILLER, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER KWAK , TO WIT:

BOND RESOLUTION OF THE TOWN OF LANCASTER, NEW YORK,
ADOPTED APRIL 1, 1996, APPROPRIATING \$839,839 FOR
THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE
LANCASTER CONSOLIDATED WATER DISTRICT, IN SAID
TOWN, AND AUTHORIZING THE ISSUANCE OF \$839,839
SERIAL BONDS OF SAID TOWN TO FINANCE SAID
APPROPRIATION

Recital

WHEREAS, following preparation of a map, plan and report
for the increase and improvement of facilities of the Lancaster
Consolidated Water District (herein called "District"), in the
Town of Lancaster (herein called "Town"), in the County of Erie,
New York, and after a public hearing duly called and held, the
Town Board of the Town determined that it is in the public
interest to increase and improve the facilities of the District,
and ordered that such facilities be so increased and improved;
Now, therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF LANCASTER, IN
THE COUNTY OF ERIE, NEW YORK (by the favorable vote of not less
than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town hereby appropriates the amount of
\$839,839 for the increase and improvement of facilities of the
District, consisting of (i) installation of approximately 1,600
linear feet of eight-inch PVC watermain along Transit Road from
the Pleasantview water tank to Genesee Street, including valves,

hydrants, services and all appurtenances and (ii) installation of approximately 6,200 linear feet of eight-inch PVC watermain along Genesee Street from Transit Road to Harris Hill Road, including valves, hydrants, services and all appurtenances, all in accordance with the map, plan and report prepared by Hayden/Wegman, Consulting Engineers, engineers duly licensed by the State of New York, on file in the office of the Town Clerk and hereby approved. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$839,839 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of not to exceed \$839,839 serial bonds of the Town to finance said appropriation and the assessment, levy and collection of assessments upon the several lots and parcels of land within the District which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable.

Section 2. Serial bonds of the Town are hereby authorized to be issued in the principal amount of not to exceed \$839,839 pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of the specific object or purpose for which said \$839,839 serial bonds are authorized to be issued, within the limitations of Section 11.00 a. 1. of the Law, is forty (40) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the serial bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds, shall contain the recital of validity prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation said bonds, shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town without limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Town by appropriation for (a)

the amortization and redemption of the bonds and any notes issued in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds having substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes, and Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing their terms, form and contents and as to the sale and issuance of the bonds herein authorized, and any other bonds heretofore or hereafter authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately.

* * *

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 1, 1996

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MILLER, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER KWAK , TO WIT:

RESOLVED BY THE TOWN BOARD OF THE TOWN OF LANCASTER, IN
THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. The Town Clerk is hereby directed to publish
the foregoing bond resolution, in full, in the "LANCASTER BEE," a
newspaper published in Buffalo, New York, and having a general
circulation in said Town, which newspaper is hereby designated as
the official newspaper of the Town for such publication, together
with the Town Clerk's statutory notice in the form prescribed by
Section 81.00 of the Local Finance Law of the State of New York.

Section 2. This resolution shall take effect
immediately.

* * *

The question of the adoption of the foregoing resolution was
duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED	YES
COUNCIL MEMBER MILLER	VOTED	YES
COUNCIL MEMBER MONTOUR	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR GIZA	VOTED	YES

April 1, 1996

THE FOLLOWING RESOLUTION WAS OFFERED
BY : SUPERVISOR GIZA, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER KWAK , TO WIT:

BOND RESOLUTION OF THE TOWN OF LANCASTER, NEW YORK,
ADOPTED APRIL 1, 1996, AUTHORIZING THE PARTIAL
RECONSTRUCTION OF THE TOWN HALL, STATING THE
ESTIMATED MAXIMUM COST THEREOF IS \$225,000,
APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING
THE ISSUANCE OF \$225,000 SERIAL BONDS OF SAID TOWN
TO FINANCE SAID APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF LANCASTER, IN THE COUNTY
OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not
less than two-thirds of all the members of said Town Board) AS
FOLLOWS:

Section 1. The Town of Lancaster, in the County of
Erie, New York (herein called "Town"), is hereby authorized to
partially reconstruct the Town Hall, including the original
furnishings, equipment, machinery and apparatus and all necessary
alterations, improvements and incidental expenses required in
connection therewith. The estimated maximum cost thereof,
including preliminary costs and costs incidental thereto and the
financing thereof, is \$225,000 and said amount is hereby
appropriated therefor. The plan of financing includes the
issuance of \$225,000 serial bonds of the Town to finance said
appropriation and the levy and collection of taxes on all the
taxable real property in the Town to pay the principal of said
bonds and the interest thereon as the same shall become due and
payable.

Section 2. Serial bonds of the Town in the principal amount of \$225,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The existing building to be partially reconstructed is of Class "B" construction as defined by Section 11.00 a. 11.(b) of the Law, and the period of probable usefulness of the object or purpose for which said \$225,000 serial bonds are authorized to be issued, within the limitations of Section 11.00 a. 12.(a)(2) of the Law, is fifteen (15) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity

as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds having substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes, and Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and any other bonds heretofore or hereafter authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond

anticipation notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum.

* * *

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED	YES
COUNCIL MEMBER MILLER	VOTED	YES
COUNCIL MEMBER MONTOUR	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR GIZA	VOTED	YES

April 1, 1996

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER KWAK , TO WIT:

THE TOWN BOARD OF THE TOWN OF LANCASTER, IN THE COUNTY
OF ERIE, NEW YORK, HEREBY RESOLVES AS FOLLOWS:

Section 1. The Town Clerk of said Town of Lancaster
shall, within ten (10) days after the adoption of this
resolution, cause to be published, in full, in the "LANCASTER
BEE," a newspaper published in Buffalo, New York, having a
general circulation within said Town and hereby designated the
official newspaper of the Town for such publication, and posted
on sign board of the Town maintained pursuant to the Town Law, a
Notice in substantially the following form:

TOWN OF LANCASTER, NEW YORK

PLEASE TAKE NOTICE that on April 1, 1996, the Town Board of the Town of Lancaster, in the County of Erie, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Lancaster, New York, adopted April 1, 1996, authorizing the partial reconstruction of the Town Hall, stating the estimated maximum cost thereof is \$225,000, appropriating said amount therefor, and authorizing the issuance of \$225,000 serial bonds of said Town to finance said appropriation,"

an abstract of which bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Town to partially reconstruct the Town Hall, including the original furnishings, equipment, machinery and apparatus and all necessary alterations, improvements and incidental expenses required in connection therewith; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$225,000; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of \$225,000 serial bonds of the Town to finance said appropriation and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$225,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness to be fifteen (15) years; the proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized; and the proposed maturity of said \$225,000 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: April 1, 1996

Robert P. Thill
Town Clerk

Section 2. After said bond resolution shall take effect, the Town Clerk is hereby directed to cause said bond resolution to be published, in full, in the newspaper referred to in Section 1 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 3. This resolution shall take effect immediately.

* * *

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 1, 1996

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER MILLER , TO WIT:

BOND RESOLUTION OF THE TOWN OF LANCASTER, NEW YORK,
ADOPTED APRIL 1, 1996, AUTHORIZING THE PARTIAL
RECONSTRUCTION OF THE TOWN HIGHWAY GARAGE, STATING
THE ESTIMATED MAXIMUM COST THEREOF IS \$400,000,
APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING
THE ISSUANCE OF \$400,000 SERIAL BONDS OF SAID TOWN
TO FINANCE SAID APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF LANCASTER, IN THE COUNTY
OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not
less than two-thirds of all the members of said Town Board) AS
FOLLOWS:

Section 1. The Town of Lancaster, in the County of
Erie, New York (herein called "Town"), is hereby authorized to
partially reconstruct the Town Highway Garage, including the
original furnishings, equipment, machinery and apparatus and all
necessary alterations, improvements and incidental expenses
required in connection therewith. The estimated maximum cost
thereof, including preliminary costs and costs incidental thereto
and the financing thereof, is \$400,000 and said amount is hereby
appropriated therefor. The plan of financing includes the
issuance of \$400,000 serial bonds of the Town to finance said
appropriation and the levy and collection of taxes on all the
taxable real property in the Town to pay the principal of said
bonds and the interest thereon as the same shall become due and
payable.

Section 2. Serial bonds of the Town in the principal amount of \$400,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The existing building to be partially reconstructed is of Class "A" construction as defined by Section 11.00 a. 11. (a) of the Law, and the period of probable usefulness of said object or purpose for which said \$400,000 serial bonds are authorized to be issued, within the limitations of Section 11.00 a. 12. (a) (1) of the Law, is twenty (20) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity

as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds having substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and any other bonds heretofore or hereafter authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond

anticipation notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum.

* * *

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED	YES
COUNCIL MEMBER MILLER	VOTED	YES
COUNCIL MEMBER MONTOUR	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR GIZA	VOTED	YES

April 1, 1996

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER MONTOUR , TO WIT:

THE TOWN BOARD OF THE TOWN OF LANCASTER, IN THE COUNTY
OF ERIE, NEW YORK, HEREBY RESOLVES AS FOLLOWS:

Section 1. The Town Clerk of said Town of Lancaster
shall, within ten (10) days after the adoption of this
resolution, cause to be published, in full, in the "LANCASTER
BEE," a newspaper published in Buffalo, New York, having a
general circulation within said Town and hereby designated the
official newspaper of the Town for such publication, and posted
on sign board of the Town maintained pursuant to the Town Law, a
Notice in substantially the following form:

133143.1 001092 RES

TOWN OF LANCASTER, NEW YORK

PLEASE TAKE NOTICE that on April 1, 1996, the Town Board of the Town of Lancaster, in the County of Erie, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Lancaster, New York, adopted April 1, 1996, authorizing the partial reconstruction of the Town Highway Garage, stating the estimated maximum cost thereof is \$400,000, appropriating said amount therefor, and authorizing the issuance of \$400,000 serial bonds of said Town to finance said appropriation,"

an abstract of which bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Town to partially reconstruct the Town Highway Garage, including the original furnishings, equipment, machinery and apparatus and all necessary alterations, improvements and incidental expenses required in connection therewith; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$400,000; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of \$400,000 serial bonds of the Town to finance said appropriation and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$400,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness to be twenty (20) years; the proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized; and the proposed maturity of said \$400,000 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: April 1, 1996

Robert P. Thill
Town Clerk

Section 2. After said bond resolution shall take effect, the Town Clerk is hereby directed to cause said bond resolution to be published, in full, in the newspaper referred to in Section 1 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED	YES
COUNCIL MEMBER MILLER	VOTED	YES
COUNCIL MEMBER MONTOUR	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR GIZA	VOTED	YES

April 1, 1996

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
STEMPNIAK, TO WIT:

WHEREAS, the Town of Lancaster Police Department Dispatch Clerks have petitioned for the formation of a collective bargaining unit to be known as the Lancaster Dispatchers Employees Association and have provided the Town Board with the tabulation of the vote demonstrating that a majority of the eligible employees favor a formation of the union, and

WHEREAS, the Town Board desires to recognize the collective bargaining unit as beforementioned;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby recognizes the collective bargaining unit established by the Police Department Dispatch Clerks to be known as the Lancaster Dispatchers Employees Association, effective immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 1, 1996

PREFILED RESOLUTION NO. 16 - MEETING OF 04/01/96

16. Giza/_____ Appoint Barbara Kufel Clerk Part Time

At the request of Supervisor Giza, this resolution was withdrawn for further study.

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
KWAK, TO WIT:

Page 300

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

Claim No. 7249 to Claim No. 7474 Inclusive

Total amount hereby authorized to be paid: \$657,673.26

The question of the foregoing resolution was duly put to a vote on roll call which resulted
as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 1, 1996

File: RCLAIMS

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER MILLER, TO WIT:

WHEREAS, Walter Ferry, 140 Cemetery Road, Lancaster, New York, has applied to the Town Board of the Town of Lancaster for a permit to construct a Public Improvement upon real property in the Town of Lancaster within Autumn Park Subdivision, Phase I,

WHEREAS, the Town Engineer of the Town of Lancaster has certified on the following permit application that he has reviewed the improvement plan and permit application for the installation of the public improvement requested, and that it conforms to the Ordinance of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit Application No. 435 of Walter Ferry, 140 Cemetery Road, Lancaster, New York, for the installation of:

P.I.P. No. 435 - Approx. 3400 linear feet of 8" C-900 waterline
(Water Line) Autumn Park Subdivision Phase I - as per
Nussbaumer & Clarke, Inc., subdivision plans
dated January 4, 1996.

be and is hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED	YES
COUNCIL MEMBER MILLER	VOTED	YES
COUNCIL MEMBER MONTOUR	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR GIZA	VOTED	YES

April 1, 1996

File: RPIP (P23)

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCIL MEMBER KWAK, WHO MOVED
 ITS ADOPTION, SECONDED BY COUNCIL
 MEMBER MONTOUR TO WIT:

RESOLVED, that the following Building Permit Applications
 be and are hereby approved and the issuance of these Building Permits be
 and are hereby authorized:

CODE:

(SW) = Sidewalks as required by Chapter 12-1B of the Code of the
 Town of Lancaster are waived for this permit.

No	Code	Applicant	Street Address	Structure
3176		James/Laura Rupsillio	5005 William St	Alter Sin. Dwlg
3177		M/M Timothy Domino	29 Brunck Rd	Ex. Sin. Dwlg
3178		Siltone Building Co	27 Via Donato W	Er. Sin. Dwlg
3179		Marrano/Marc Equity	1 Butler Dr	Er. Sin. Dwlg
3180		Marrano/Marc Equity	56 Stony Brook Dr	Er. Sin. Dwlg
3181		Ramada Inn	48 Freeman Dr	Er. Pool
3182		Sunrise Homes	2 Michael Anthony	Er. Sin. Dwlg
3183		John Wicks	5767 Genesee St	Er. Sign
3184		Lovejoy Bldrs Inc	1164 Penora St	Er. Sin. Dwlg
3185		Burke Bros. Const. Inc	13 Clermont Ct	Er. Sin. Dwlg
3186		Lovejoy Bldrs	42 Sagebrush Ln	Er. Sin. Dwlg
3187		Quality Day Care	344 Harris Hill Rd	Install Temp. Sign
3188		Quality Day Care	344 Harris Hill Rd	Alter Sign
3189		Rick/Debra Slagor	197 Stony Rd	Er. Garage
3190		James Hammerling	6517 Broadway	Er. Fence
3191		Ryan Homes	1 Park Wlk	Er. Sin. Dwlg
3192		Nigel Enterprises	19 Cobblestone Ct	Er. Sin. Dwlg
3193		Anthony Franzone	96 Newberry Ln	Er. Sin. Dwlg
3194		E. Peter Paoletti	67 Newberry Ln	Er. Shed
3195		Stratford Homes Inc	30 Michael Anthony	Er. Sin. Dwlg
3196		Lawrence Mruk	76 Pheasant Run Ln	Er. Deck/Pool
3197		Richard Chamberlain	10 Quail Hollow	Ex. Sin. Dwlg
3198 SW		George Johnson	277 Ransom Rd	Er. Sin. Dwlg
3199		Fischione Const Co	28 Hidden Trail	Er. Sin. Dwlg
3200		Thomas Lewis	113 Michael's Wlk	Er. Deck
3201		Siltone Building Co	49 Michael's Wlk	Er. Sin. Dwlg
3202 CSW		SiHone Building Co	474 Pleasant View Dr	Er. Sin. Dwlg
3203		Mr Bellomo	32 Greenbriar Dr	Ex. Sin. Dwlg
3204		Parkhaven Bldrs Inc	8 Village View	Er. Sin. Dwlg
3205		American Eagle Fireplace	6711 Transit Rd	Er. Sign
3206		Marrano Marc Equity	35 Woodgate Dr	Er. Sin. Dwlg

3207	Marty/Leverda Jones	29 Whitestone Ln	Er. Deck
3208	Marrano Marc Equity	8 Butler Dr	Er. Sin. Dwlg
3209	Marrano Marc Equity	5 Riemers Ave	Er. Sin. Dwlg

and,

RESOLVED, that the Building Permit applications herein coded (SW) for sidewalk waiver be and are hereby approved with a waiver of the provisions of Chapter 12-1B of the Code of the Town of Lancaster which requires sidewalks in front of every new home.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 1 , 1996

Supervisor Giza requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA. WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
KWAK. TO WIT:

WHEREAS, the Town Board, by resolution adopted January 1, 1996, abolished certain laborer grade positions in the Recreation Department, which positions were in the White Collar Bargaining Unit, and

WHEREAS, the Town Board, after due review with the General Crew Chief of Buildings and Grounds, Parks and Senior Facility, and after consideration of the labor requirements in the department, has determined that one of the laborer positions abolished should be restored and that an appointment to that laborer position be made from a current laborer aide, with back pay retroactive to January 1, 1996 at the laborer rate,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby creates one (1) position of Laborer in the Buildings and Grounds, Parks and Senior Facility Department (White Collar Bargaining Unit) and authorizes the Supervisor of the Town of Lancaster to take the necessary action with the Erie County Personnel Department to authorize this position, and

BE IT FURTHER

RESOLVED, that **MATTHEW PERILLO**, currently a Laborer Aide, be and is here appointed to the position of Laborer, which position he held prior to the abolishment of the laborer positions, and

BE IT FURTHER

RESOLVED, that this position be made retroactive to January 1, 1996 at the salary as set forth in the 1996 Schedule of Salaries for this position.

The question of the foregoing resolution was duly put to a vote on roll call
which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 1, 1996

File: RPERS CRE (P5)

Supervisor Giza requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
KWAK TO WIT:

WHEREAS, the Town Board of the Town of Lancaster, adopted a resolution on March 18, 1996 creating the position of Crew Chief - Road Inspector, and

WHEREAS, the Town Board has been apprised that the title should not have included the reference to Crew Chief, and

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby rescinds the resolution of March 18, 1996 and adopts in place thereof the following:

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to submit a PO-17 to the Erie County Department of Personnel with a job description for Road and Curb Inspector, and request that the County authorize the creation of this non-competitive position, and

BE IT FURTHER

RESOLVED, that **CLARENCE A. JACKSON**, be and is hereby appointed to fill that position, retroactive to March 18, 1996, at the hourly rate of \$1.10 over the laborer grade salary which is \$15.77 per hour in the 1996 Schedule of Salaries, pending the final negotiation of the current CSEA Highway contract.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 1, 1996

File: RPERS.CRE (P6)

COMMUNICATIONS**Page 307
DISPOSITION**

225. Building Inspector to Town Board - Recommendation to renew dump permit for David Smith.	R & F
226. NYS Senator Mary Lou Rath to Town Clerk - Reply to letter regarding move/eliminate the Williamsville Toll Barrier.	R & F
227. Town Attorney to Depew Development Inc. - Notification that Fox & Company will complete audit for Walden Avenue/Pavement Rd highway improvement.	R & F
228. NYS Office of the State Comptroller to Town Board - Distribution of bulletin re: accounting for registrar fees for Town Clerks who are unsalaried as Registrars of Vital Statistics.	R & F
229. Disaster Coordinator to Village Attorney - Transmittal of invoice for services from E & E for Manitoba fire.	SUPERVISOR TOWN ATTORNEY
230. Council Member Stempniak to Ferry Builders- Transmittal of decision re: country curbs.	R & F
231. President, CSEA to Supervisor - Request for comment about the addition of vendors for purchasing work clothing.	R & F
232. General Crew Chief to Supervisor - Notice of resignation for Virginia Skubis.	R & F
233. Invent America Committee Chairman to Supervisor - Letter of thanks for support for program.	R & F
234. Modern Disposal Services to Supervisor - Notice of CPI adjustment in the March billing.	R & F
235. Village of Lancaster to Ecology & Environment - Notification of responsibility for payment of invoice For fire at Manitoba Corp.	TOWN ATTORNEY SUPERVISOR
236. William L. Holcomb Associates to PBA President - Town Board's position on residency policy for Town Employees.	R & F
237. General Crew Chief to Supervisor - Transmittal of Senior schedule for Rose Piccolo and Mary Bartz. Also requests for Ms. Bartz to be put on payroll instead of her present voucher.	R & F
238. Lawley Service, Inc to Town Board - Transmittal of schedule for current insurance..	R & F
239. Town Clerk to Planning Board Chairman- Transmittal of rezone petition for property situate at 5844 Broadway.	R & F TOWN ATTORNEY PLANNING BOARD
240. Pine Hill Concrete Mix Corporation to Building Inspector - Comments regarding effort to maintain road conditions.	R & F
241. Timothy Bianchi to Town Clerk - Notice of resignation as Bingo Inspector effective 3/31/96	R & F

COMMUNICATIONS**DISPOSITION**

242. Town Clerk to Zoning Board Members, Building Inspector And Town Attorney - Transmittal of variance petitions for meeting to be held on 4/11/96.	R & F
243. Town Clerk to Town Board - Request review of Special Use Permit for Richard Zarbo for a home occupation.	R & F TOWN ATTORNEY
244. NYS Senator William Stachowski to Town Clerk - Acknowledgment of Resolution of 3/18/96.	R & F
245. NYS Senator Dale Volker to Town Clerk - Acknowledge information about resolution re: DOT Project No. 511162.	R & F
246. General Crew Chief to Highway Superintendent - Acknowledgment of outstanding job done by Highway crew in repairing pick-up truck.	R & F
247. Planning Board To Town Board Minutes of meeting of 3/20/96.	R & F
248. Planning Board to Town Board - Recommends approval for Cadby Industrial Park site plan	SUPERVISOR TOWN ATTORNEY PLANNING COMMITTEE
249. Police Chief to Supervisor - Reply to letter concerning travel ban emergencies due to snow.	R & F
250. Erie County Executive to Supervisor - Request to exempt Bethlehem Steel Corp. employees from driving ban due to inclement weather.	R & F
251. Bella Vista Group to Supervisor - Petitioning the Town to tell the NYS DOT of their awareness of the proposed theater project at William/Transit.	R & F PLANNING COMMITTEE
252. The State Education Department to Lancaster C.D. District Clerk - Notice of Negative Declaration in the SEQR Review for additions and alterations to Senior High School.	R & F PLANNING COMMITTEE
253. Wendel Associates to Supervisor - Transmittal of minutes of construction progress meeting for the Lancaster Youth Bureau.	R & F
254. Director Disaster Committee to Disaster Committee - Notification of meeting to be held 04/09/96.	R & F
255. Johnstone Reid Jr. to Supervisor - Expressing interest in an appointment to Planning Board.	R & F
256. Lancaster Senior Citizens Center to Supervisor - Expressing thanks for expedient request for street lights on Artel Metz Drive.	R & F
257. ECDEP to Senior Housing Specialist - Comments re: Comer vs Cisneros Lawsuit.	SUPERVISOR TOWN ATTORNEY

COMMUNICATIONS

- | | |
|--|---|
| 258. News Business Reporter to Subscribers -
Article discussing cross-docking dialogue between
Tops Parent Company and various groups. | <u>R & F</u>

_____ |
| 259. Joseph J. Naples Companies to General Crew Chief -
Comments re: General Liability Insurance for spraying
pesticides. | <u>R & F</u>

_____ |
| 260. EC Comptroller to Supervisor -
Comments regarding withholding of sales taxes to offset
Town reval debt. | <u>SUPERVISOR</u>
<u>TOWN ATTORNEY</u>

_____ |
| 261. American Ref-Fuel to Town of Lancaster -
Comments regarding gas cylinders and their impact on
the facility. | <u>BUILDING INSPECTOR</u>

_____ |
| 262. General Crew Chief to Director of Recreation -
Request for a written progress report of the Recreation
Department programs. | <u>R & F</u>

_____ |
| 263. LIDA To Supervisor -
Notice of public hearing for Samuel, Son & Co., Ltd. | <u>R & F</u>

_____ |
| 264. Supervisor to NYSDOT -
Comments re: traffic impact study on Wehrle Retail
Center. | <u>PUBLIC SAFETY</u>
<u>COMMITTEE</u>

_____ |
| 265. Supervisor to NYSDOT -
Comments re: Traffic Impact Study Proposed Theater
Complex William Street South/Transit Road. | <u>PUBLIC SAFETY</u>
<u>COMMITTEE</u>

_____ |
| 266. Town Attorney to Town Board -
Comments re: payments for renovations for Buffalo
Psychiatric Center and a lease proposal. | <u>TOWN ATTORNEY</u>

_____ |
| 267. Town Engineer to Town Board -
Transmittal of public improvement permit application
for water line within Autumn Park Subdivision. | <u>R & F</u>

_____ |

ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER STEMPNIAK, AND SECONDED
BY THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 9:32 P.M.

Signed

Deann O'Kucharski
Deputy Town Clerk